

ASSEMBLY BILL

No. 2432

Introduced by Assembly Member Carter

February 24, 2012

An act to amend Section 13235 of the Health and Safety Code, relating to fire safety.

LEGISLATIVE COUNSEL'S DIGEST

AB 2432, as introduced, Carter. Fire safety: facility inspections.

Existing law requires a local fire enforcing agency or the State Fire Marshal, whichever has jurisdiction, upon receipt of a request from a prospective licensee of a community care facility, residential care facility for the elderly, or child day care facility, to conduct a preinspection of the facility prior to the final fire clearance approval, including consultation and interpretation of fire safety regulations.

This bill would make nonsubstantive changes to that provision.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 13235 of the Health and Safety Code is
- 2 amended to read:
- 3 13235. (a) Upon receipt of a request from a prospective
- 4 licensee of a community care facility, as defined in Section 1502,
- 5 of a residential care facility for the elderly, as defined in Section
- 6 1569.2, or of a child day care facility, as defined in Section
- 7 1596.750, the local fire enforcing agency, as defined in Section
- 8 13244, or State Fire Marshal, whichever has primary jurisdiction,

1 shall conduct a preinspection of the facility prior to the final fire
2 clearance approval. At the time of the preinspection, the primary
3 fire enforcing agency shall provide consultation and interpretation
4 of fire safety regulations, and shall notify the prospective licensee
5 of the facility in writing of the specific fire safety regulations ~~which~~
6 *that* shall be enforced in order to obtain fire clearance approval.
7 A fee equal to, but not exceeding, the actual cost of the
8 preinspection services may be charged for the preinspection of a
9 facility with a capacity to serve 25 or fewer persons. A fee equal
10 to, but not exceeding, the actual cost of the preinspection services
11 may be charged for a preinspection of a facility with a capacity to
12 serve 26 or more persons.

13 (b) The primary fire enforcing agency shall complete the final
14 fire clearance inspection for a community care facility, residential
15 care facility for the elderly, or child day care facility within 30
16 days of receipt of the request for the final inspection, or as of the
17 date the prospective facility requests the final prelicensure
18 inspection by the State Department of Social Services, whichever
19 is later.